IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

FAO.No. 44 of 2007

AGAINST THE ORDER DATED 03/01/2007 IN IA.1963/06 IN OS.151/2006 of SUB COURT, MUVATTUPUZHA

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APPELLANTS/DEFENDANTS IN OS 151/06

1. K.P.LASSER, S/O. PAULOSE, AGED 70,
KEEPANASSERIL HOUSE, THRIKKALATHOOR KARA,
MULAVOOR VILLAGE.

2. BOVAS LASSER, S/O. K.P.LASSER,
AGED 42, KEEPANASSERIL HOUSE,
THRIKKALATHOOR KARA, MULAVOOR VILLAGE.

BY ADV. SRI.THAMPAN THOMAS
SMT.V.O.PHILOMINA

RESPONDENTS: PLAINTIFF IN O.S.

SHAJI, S/O. ABDUL RASHEED,
AGED 36, EZHUTHANIKATTU HOUSE,
PAYIPRA KARA, MULAVOOR VILLAGE.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON 27/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN JJ.

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F.A.O.NO.44 OF 2007

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Dated this the 27th day of March 2007

JUDGMENT

Kurian Joseph, J.

This is an appeal filed against the interlocutory order in I.A.1963/2006 in O.S.151/2006 on the file of the Sub Court, Muvattupuzha. The appellants have been restrained by an order of temporary injunction from alienating the property to any person other than the respondent. Respondent is the plaintiff in the suit for specific performance. After having heard the learned counsel on both sides, we are of the view that it is in the interest of both the parties to have the suit itself decided at the earliest. Accordingly, this appeal is disposed of directing the Sub Court, Muvattupuzha to dispose of O.S.151/2006 within a period of three months from the date of receipt of a copy of this judgment.

KURIAN JOSEPH, JUDGE

K.T.SANKARAN, JUDGE

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